



ORDINANCE NUMBER 2173

**AN ORDINANCE OF THE CITY OF FARMERS
BRANCH, TEXAS, AMENDING THE
COMPREHENSIVE ZONING ORDINANCE OF THE
CITY OF FARMERS BRANCH, TEXAS, AS
HERETOFORE AMENDED; SO AS TO GRANT A
SPECIFIC USE PERMIT-INTERIM USE (TO EXPIRE ON
MAY 1, 2005) TO ALLOW OUTDOOR STORAGE OF
RECREATIONAL VEHICLES WITHIN THE PLANNED
DEVELOPMENT NO. 22 (PD-22) ZONING DISTRICT
ON A 2.635 ACRE COMMONLY KNOWN AS 1617 AND
1637 KEENAN BRIDGE ROAD; PROVIDING FOR
CONDITIONS OF OPERATION; PROVIDING FOR A
PENALTY OF FINE NOT TO EXCEED TWO
THOUSAND DOLLARS (\$2,000.00) FOR EACH
OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council finds and determines, on the basis of facts presented on the application for a Specific Use Permit-Interim Use and at the public hearings, the following:

1. That the proposed use is consistent with existing uses of adjacent and nearby property;
2. That the proposed use is not consistent with: (a) the reasonable foreseeable uses of adjacent and nearby property anticipated to be in place upon expiration of the term of the Specific Use Permit-Interim Use; and (b) the use of the property contemplated by the City's Comprehensive Plan, as in effect on the date of granting of said permit;
3. That the proposed use will not impair development of adjacent and nearby property in accordance with said Comprehensive Plan during the period for which the Specific Use Permit-Interim Use is in effect;
4. That the proposed use will not adversely affect the City's Thoroughfare Plan and traffic patterns, as in effect at the time of granting of said permit, and as contemplated by the City's Comprehensive Plan; and

5. That any investment contemplated to be made by the applicant in the property subsequent to or in reliance upon the issuance of the permit may reasonably be expected to be recovered prior to the expiration date of the permit.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to the granting of Specific Use Permits-Interim Use under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made, subject to the conditions set out herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS.

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to grant a Specific Use Permit-Interim Use, expiring on May 1, 2005, to allow outdoor storage of recreational vehicles within the Planned Development No. 22 (PD-22) zoning district on 2.635 acre commonly known as 1617 and 1637 Keenan Bridge Road.

SECTION 2. That this Specific Use Permit-Interim Use shall be operated in compliance with the conditions established by the approved site plan attached as Exhibit "A".

SECTION 3. That all construction equipment, construction vehicles, trailers, junked vehicles, and other miscellaneous material and debris presently on-site be removed within one hundred eight (180) days of the granting of the SUP, however, the applicant may request that the Planning and Zoning Commission extend this time period without incurring additional fees.

SECTION 4. That the rock driveway extending from Keenan Bridge roadway and leading to the proposed recreational vehicle storage area be paved a minimum distance of 50 feet into the property at such time that at least forty (40) recreational vehicle storage spaces have been leased.

SECTION 5. That the Specific Use Permit-Interim Use be limited to a period of ten (10) years, expiring no earlier than May 1, 2005 and that no additional fee be required, should the applicant petition the City for continuation of the use at that time.

SECTION 6. That storage be limited exclusively to those types of vehicles typically utilized for recreational purposes, including but not limited to, travel trailers, truck campers, camping trailers, boats and self propelled mobile homes.

SECTION 7. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 8. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same is hereby repealed and all other provisions of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 9. If any section, paragraph, article, subdivision, clause, phrase, or provision of this ordinance or application thereto any person or circumstances is held invalid or unconstitutional, by Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 10. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court shall be subject to a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation continues shall constitute separate offense.

SECTION 11. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance and as the law in such case provides.

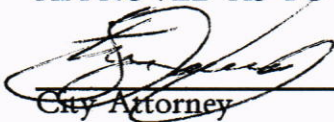
Duly passed by the City Council of the City of Farmers Branch, Texas, on this 3rd
City of April, 1995.

APPROVED:

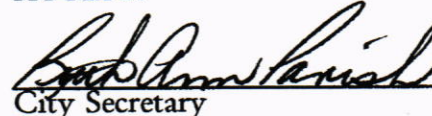


Mayor

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Secretary

trailers, truck campers, camping trailers, boats and self propelled mobile homes.

Mayor Blair opened the public hearing.

Mr. James A. Byrd, 1617 Keenan Bridge Road, came forward and stated he was in agreement with the conditions recommended by the Planning and Zoning Commission.

There being no other discussion, a motion by Councilman Phelps, a second by Mayor Pro Tem Pyle, all voting "aye", closed the public hearing.

Councilwoman Davis asked why impose five years rather than the ten years as requested.

Michael Spicer, Director of Planning, explained it is difficult to see beyond five years and ascertain how development patterns in that area may evolve. Mr. Spicer stated this is also consistent with the specific use permit that was granted for outdoor storage on the property immediately east of this tract.

Councilwoman Davis stated she had a problem with cutting the time period for this request.

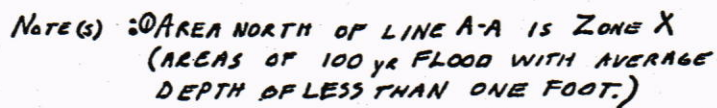
Councilman Phelps stated he would rather extend the time period and require a fee for the specific use permit.

City Manager Richard Escalante stated if this is the wishes of the Council, then Section 5 of Ordinance 2173 should be revised to reflect ten years and expire no earlier than May 1, 2005 and end this section at that point.

Councilwoman Hardie asked if the applicant had a problem with extending the time period and requiring a fee for the specific use permit.

Mr. Byrd stated he had no problem with these conditions.

4/3/95 { There being no further discussion, a motion by Councilman Phelps, a second by Councilman Moses, all voting "aye", adopted the following captioned Ordinance Number 2173 granting a Specific Use Permit-Interim Use to allow outdoor storage of recreational vehicles at 1617 and 1637 Keenan Bridge Road with the conditions recommended by the Planning and Zoning Commission with the exception that Section 5 reflect ten years and expire no earlier than May 1, 2005 and end this section at that point.



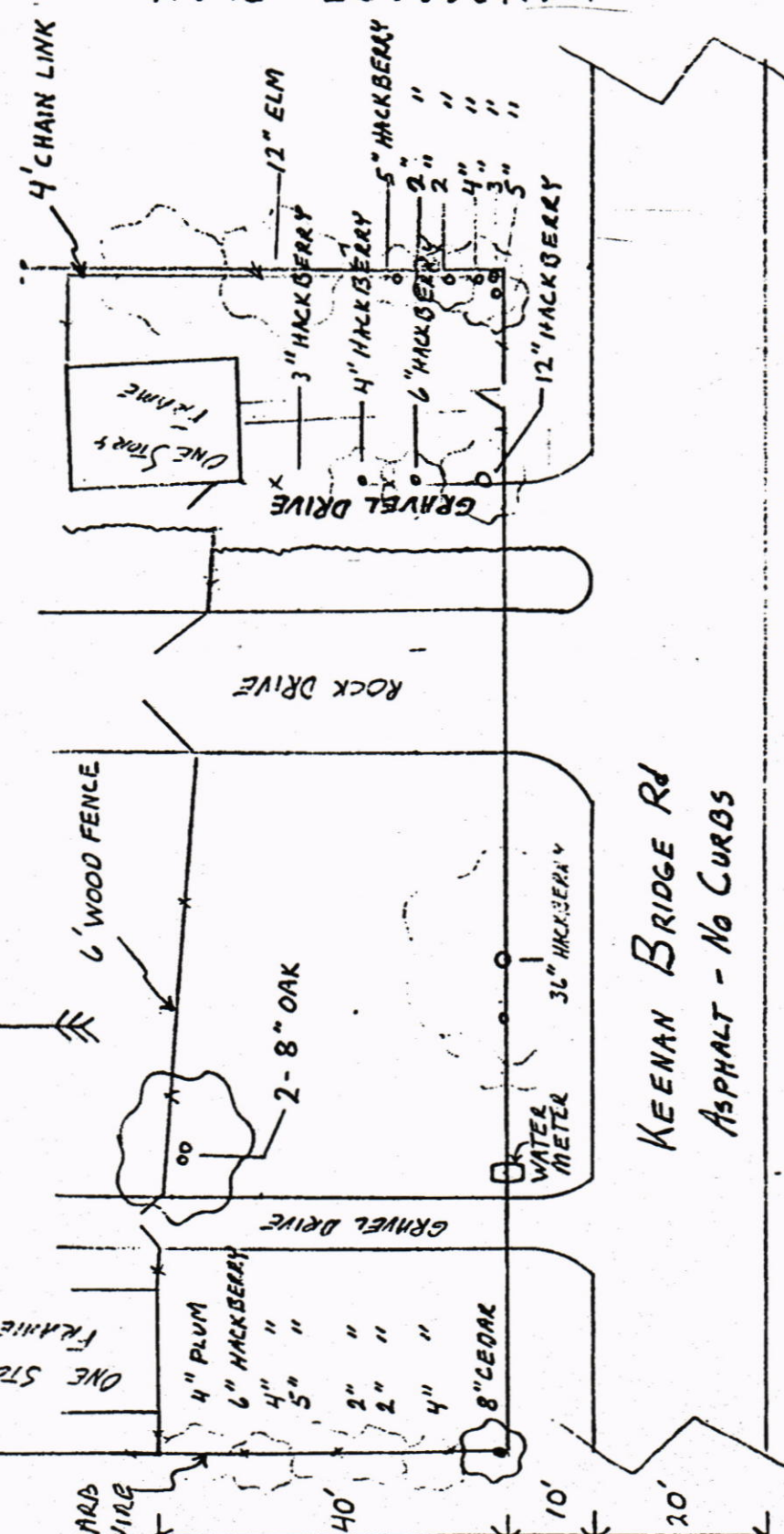
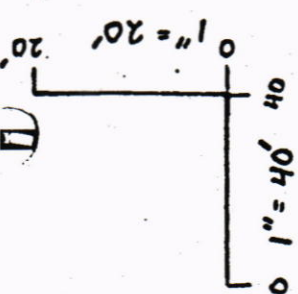
3c

LANDSCAPE PLAN

EXHIBIT "A" (2 of 3)

(3d)

NOTE(S): ALL TREES SHOWN ARE EXISTING.
 ② ALL FRONTAGE IS EXISTING TURF EXCEPT GRAVEL AND ROCK DRIVES.
 ③ THE REQUIRED ONE TREE PER 30' OF FRONTAGE IS EXCEEDED BY EXISTING TREES.



TOTAL LANDSCAPE AREA = 8024 sq ft

REVISED LANDSCAPE PLAN
 1617 AND 1637 KEENAN BRIDGE ROAD

DATE: 3-19-95
 BY: JAMES BYRD

EXHIBIT "A" (3 of 3)

ONE STORY
HOUSE

